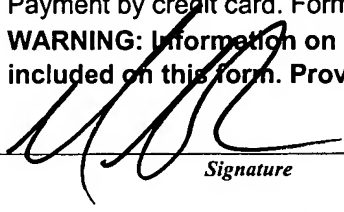
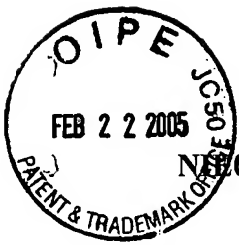


|  |  |                                      |  |                                 |                                 |
|--|--|--------------------------------------|--|---------------------------------|---------------------------------|
| <b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>   |  |                                      |  | Docket No.<br><b>NIE0003-US</b> |                                 |
| Applicant(s): <b>JORGE ABEL GROISO</b>   |  |                                      |  |                                 |                                 |
| Application No.<br><b>10/051,156</b>   | Filing Date<br><b>January 22, 2002</b> | Examiner<br><b>Michael B. Priddy</b> | Customer No.<br><b>28970</b>   | Group Art Unit<br><b>3732</b>   | Confirmation No.<br><b>7921</b> |
| Invention: <b>BONE STAPLE AND METHODS FOR CORRECTING BONE DEFICIENCIES BY CONTROLLABLY SUPPRESSING AND/OR INDUCING THE GROWTH OF THE EPIPHYSEAL PLATE</b>  |  |                                      |  |                                 |                                 |
| <u>COMMISSIONER FOR PATENTS:</u>   |  |                                      |  |                                 |                                 |
| Transmitted herewith is an amendment in the above-identified application.  |  |                                      |  |                                 |                                 |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  |  |                                      |  |                                 |                                 |
| The fee has been calculated and is transmitted as shown below.   |  |                                      |  |                                 |                                 |
| <b>CLAIMS AS AMENDED</b>   |  |                                      |  |                                 |                                 |
|  | CLAIMS REMAINING<br>AFTER AMENDMENT    | HIGHEST #<br>PREV. PAID FOR          | NUMBER EXTRA<br>CLAIMS PRESENT   | RATE                            | ADDITIONAL<br>FEE               |
| TOTAL CLAIMS   | 5 -                                    | 21 =                                 | 0  | x \$25.00                       | \$0.00                          |
| INDEP. CLAIMS  | 2 -                                    | 3 =                                  | 0  | x \$100.00                      | \$0.00                          |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>   |  |                                      |  |                                 | \$0.00                          |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>   |  |                                      |  |                                 | <b>\$0.00</b>                   |
| <input checked="" type="checkbox"/> No additional fee is required for amendment.<br><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>50-1390</b><br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b> |  |                                      |  |                                 |                                 |
| <br>_____<br><i>Signature</i>   |  |                                      | Dated: <b>February 22, 2005</b>  |                                 |                                 |
| <b>Michael Bednarek, Reg. No. 32,329</b><br><b>SHAW PITTMAN LLP</b><br><b>1650 Tysons Boulevard</b><br><b>McLean, Virginia 22102</b><br><b>(703) 770-7900</b><br><br><b>MB/JEC/lrhj</b>  |  |                                      | I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on<br><br>_____<br>(Date) |                                 |                                 |
| CC:  |  |                                      | _____<br><i>Signature of Person Mailing Correspondence</i>   |                                 |                                 |
|  |  |                                      | _____<br><i>Typed or Printed Name of Person Mailing Correspondence</i>   |                                 |                                 |



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**RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP NO.: 3732**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|   |  |
|---|--|
| In re the Application of:<br><br>JORGE ABEL GROISO<br><br>Serial No.: 10/051,156<br><br>Filed: January 22, 2002<br><br>For: BONE STAPLE AND METHODS<br>FOR CORRECTING BONE<br>DEFICIENCIES BY<br>CONTROLLABLY SUPPRESSING<br>AND/OR INDUCING THE<br>GROWTH OF THE EPIPHYSEAL<br>PLATE | Art Unit: 3732<br><br>Examiner: PRIDDY, MICHAEL B. |
|---|--|

**AMENDMENT AFTER FINAL REJECTION**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed on November 26, 2004, please amend the above-identified application as follows:

No extension of time or other fees are believed to be due, except as detailed in the attached documents. However, any extension of time necessary to prevent abandonment is hereby requested, and any fee necessary for consideration of this response is hereby authorized to be charged to Deposit Account Number 50-1390.

**Amendments to the Specification:** None.

Serial No.: 10/051,156  
Art Unit: 3732

Attorney's Docket No.: NIE0003-US  
Page 2

**Amendments to the Claims:** reflected in the listing of claims that begins on page 3 of this paper.

**Amendments to the Drawings:** None.

**Remarks:** begin on page 5 of this paper.